

### REMARKS

Claims 1-29 were pending in the application at the time of the Office Action. The Office Action set forth a restriction requirement requiring applicant to elect one of the following groups of claims for prosecution on the merits:

- Group I: Claims 1-20, drawn to a guide assembly
- Group II: Claims 21-29, drawn to a method

Applicant hereby elects without traverse Group I containing claims 1-20 for prosecution on the merits. As such, claims 21-29 have been cancelled herein.

The Office Action also sets forth an election requirement. Specifically, the Office Action asserts that the application contains claims directed to the following patentably distinct species:

#### Condylar Implant Species:

- Species A: Figures 12A, 12B, and 12C
- Species B: Figure 13
- Species C: Figures 14, 15A, and 15B
- Species D: Figures 16A and 16B
- Species E: Figures 26A and 26B
- Species F: Figures 27A and 27B

Applicant hereby elects without traverse Species A corresponding to Figures 12A, 12B, and 12C for prosecution on the merits. Applicant submits that claims 1-20 read on the elected species.

Claims 4, 7, and 16 have been amended herein to correct typographical errors. Claims 30-41 have been added and are supported at least by Figures 2, 2A, and 3 and paragraphs [0047]–[0054] of the specification as originally filed. Applicant submits that new claims 30-41 also read on the elected species.

In view of the foregoing, applicant respectfully requests the Examiner's consideration and allowance of claims 1-20 and 30-41 as currently pending in the present application. Should

the Examiner find any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 28<sup>th</sup> day of July 2006.

Respectfully submitted,

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